

Stateline Midwest

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THE MIDWESTERN OFFICE OF THE COUNCIL OF STATE GOVERNMENTS

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CSG Midwestern Office Staff

Michael H. McCabe, *Director*
Tim Anderson, *Publications Manager*
Cindy Calo Andrews, *Assistant Director*
Jonathan Davis, *Assistant Editor/Policy Analyst*
Ilene K. Grossman, *Assistant Director*
Lisa R. Janairo, *Senior Policy Analyst*
Laura Kliewer, *Senior Policy Analyst*
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A life-changing policy opportunity

At MLC meeting, Nobel Prize-winning economist explains why investing in children, families can pay off for states

by *Tim Anderson (tanderson@csg.org)*

Few early-intervention initiatives for children have been studied more closely and for a longer time than the HighScope Perry Preschool Program.

It began in 1962, when 123 children from the Michigan town of Ypsilanti were identified as being at a high risk of failing in school. About half of these young people then received high-quality care and education, including home visits and help for parents. The others received no assistance at all.

The progress of these children has been monitored for years, and the early results weren't promising. By the time they had reached age 10, gains in IQ scores had waned: Students who went through Perry and those who did not had similar scores.

But as it turns out, Nobel Prize-winning economist James Heckman told lawmakers at this year's Midwestern Legislative Conference Annual Meeting, that early-intervention program in Michigan was making a huge difference — and has continued to do so for decades.

"It was not a failure," Heckman said in a session built around the MLC chair's initiative of Wisconsin Rep. Joan Ballweg. "Where the failure resided was in thinking that IQ and these measures of cognition were the only measure, or most important measure, of what school and intervention programs do.

"That is a misconception that really should be rooted out of public policy."

In fact, researchers have noted astonishing long-term impacts from Perry: By age 40, young participants in the program were more likely to hold a job, have higher levels of educational attainment and have committed fewer crimes.

Even when not including improved health and other benefits, the preschool program showed a benefit-to-cost ratio of 7:1.

"It changed the character and the social and emotional skills of the children," Heckman said about the early intervention. "It brought them in and made them fully active, engaged citizens in the larger society."

That Perry research helped highlight Heckman's underlying message to the Midwest's legislators: Investments in

"Ability is something that can be shaped and that can be a target of public policy."

James Heckman, Nobel Prize-winning economist, University of Chicago

early-childhood development can pay big societal dividends and reduce income inequality, but only if they spring from smart, informed policy.

"Ability is something that can be shaped and that can be a target of public policy. ... The real lesson is that parenting matters, bolstering parenting matters, and social and emotional skills matter greatly."

And the earlier that intervention comes, the better.

Large gaps in achievement among children with mothers of varying education levels already appear at age 3, an indication that prenatal care and the birth-to-3 years are critical to development. And one other notable finding from the Perry study was the impact that early family interventions have on child-parent interactions. Parenting styles, researchers found, became warmer and more supportive.

"Families do a lot more than pay tuition and college bills," Heckman said. "They build values and motivate children. We need policies that help challenge

Thank you to MLC meeting participants and contributors

CSG Midwest would like to thank the legislators and contributors who took part in this year's Midwestern Legislative Conference Annual Meeting in Milwaukee.

Held over four days, the event gives legislators the chance to learn about and share innovative ideas in policymaking and state government. Planning for this year's event was led by Wisconsin Rep. Joan Ballweg, chair of the MLC, along with fellow lawmakers and legislative staff in the Wisconsin State Legislature.

This edition of *Stateline Midwest* highlights policy sessions and MLC committee meetings held during the conference, as well as actions taken by the region's legislators. More information, including speaker presentations, is available at www.csgmidwest.org.

Next year's meeting will be held July 9-12 in Des Moines, Iowa.



American families and that work with families and develop the skills needed for childhood success."

Preventing vs. solving problems

Forty-five years ago, the United States came close to taking the first step toward universal child care with congressional

► PLEASE TURN TO PAGE 5



Wisconsin Rep. Joan Ballweg, chair of the Midwestern Legislative Conference, and Nobel Prize-winning economist James Heckman meet in July during the MLC Annual Meeting in Milwaukee. Heckman is the founding director of the University of Chicago's Center for the Economics of Human Development. His presentation at the meeting focused on several aspects of this year's MLC chair's initiative.

In July, the five policy committees of the Midwestern Legislative Conference held meetings on the first day of the MLC Annual Meeting in Milwaukee. This month's Issue Briefs section summarizes some of the issues discussed at those committee meetings.

MLC Midwest-Canada Relations Committee

States, provinces are ‘hidden wiring’ for largest binational relationship in the world

In the largest binational trading partnership in the world, two of the most important players in it often get forgotten — but not in a presentation delivered by Colin Robertson at the Midwestern Legislative Conference Midwest-Canada Relations Committee meeting.

States and provinces are the “hidden wiring” that helps the U.S.-Canada relationship go, he said to the binational, bipartisan group of legislators.

Robertson, a vice president and fellow with the Canadian Global Affairs Institute, then laid out a series of steps for how lawmakers on both sides of the border can improve the region’s economic and energy ties.

Canada already is the largest trading partner for each of the 11 states in the Midwest; conversely, the United States is the largest trading partner for all four provinces that are affiliate members of the MLC.

Yet concerns remain about border delays, unnecessary regulatory hurdles and untapped energy partnerships. On all three of those policy issues, states and provinces have a role to play in helping advance U.S.-Canada relations, Robertson, a former

diplomat, told the MLC committee. To make the border operate more smoothly, he suggested that states and provinces consider joint infrastructure planning for roads, rail and ports of entry. This type of binational cooperation, he said, would prevent bottlenecks leading to, and at, the border. He also suggested that states and provinces develop pilot programs together to tackle border delays.

To pay for upgrades at and around the Canada-U.S. border, he said, a North American infrastructure development bank could be developed. (A North American Development Bank already exists; created by Mexico and the United States, it provides loans and grants to improve the environment or human health.)

Regarding energy and the environment, Robertson suggested that provinces and states consider sharing best practices around regulatory regimes for the electric grid, pipelines and water use.

State and provincial governments also could help businesses work across the border if they mirrored some of the federal activity taking place over regulatory cooperation, he added. Where state and provincial governments have authority, legislators could look at eliminating small regulatory differences between them.

Robertson also talked about cross-border labor

Committee co-chairs



Indiana Sen. Ed Charbonneau



Manitoba Minister Kelvin Goertzen

mobility, and the importance of getting workers to where their skills are needed. This requires professional associations and other organizations to move forward with joint accreditation, and for states and provinces (which often oversee licensing and accreditation) to do the same.

Later in the committee meeting, lawmakers endorsed a resolution (which came from the MLC’s Agriculture and Natural Resources Committee) in support of “Protein Highway” initiative — which aims to create new partnerships among the Great Plains states and Prairie provinces to advance research and development of value-added products from various protein crops grown in the region.

Brief written by Ilene Grossman (igrossman@csg.org), CSG Midwest staff liaison to the MLC Midwest-Canada Relations Committee.

MLC Economic Development Committee

High schoolers’ college readiness crucial to developing better-prepared workforce, experts say

Having an educated and prepared workforce is a key component to any successful economic development strategy and an imperative to creating a prosperous economy.

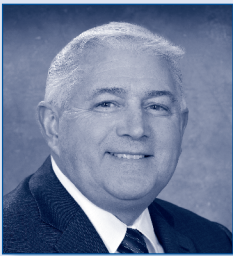
With this in mind, the theme of workforce preparation was a large part of the Midwestern Legislative Conference Economic Development Committee’s agenda during its July meeting in Milwaukee.

A panel of experts and practitioners joined committee members to discuss how prepared the region’s youth are for post-secondary training and careers, as well as strategies for creating a better-prepared labor market.

Tom Lindsley, director of federal government relations for ACT Inc., spoke of the value that standards and benchmarking tools have in helping students, parents and educators understand what knowledge and skills are needed for post-secondary success.

Also, Lindsley said, assessments help stakeholders measure progress and shed light on options that lead to greater readiness and opportunities. While those benchmarks can help ensure that students are on track for readiness, they also reveal that large numbers of high school students are not on track.

Committee co-chairs



Michigan Sen. Ken Horn



Nebraska Sen. Heath Mello

Findings from ACT’s college readiness benchmarks for English, mathematics, reading and science show that only 41 percent of high school students meet three of the benchmarks — and that 31 percent meet none of them.

Also during the meeting, Tom Luna, a former superintendent of schools for the state of Idaho, highlighted four policies to make school and curriculum more relevant for students, while also building the talents needed for future success.

- Don’t wait for high school, but instead develop a “K-career” approach that engages students in kindergarten through eighth grade.
- Use greater flexibility in the Every Student Succeeds Act to modernize education policy, includ-

ing reforms to teaching certification and school budgets and accountability.

- Ensure that education goals align with accountability measures and state budgets.
- Enhance classroom experience by making school relevant and tapping into students’ natural curiosity.

“Intellectual capacity is the currency of the 21st century, and policies and priorities need to reflect this,” said Luna, now senior vice president for government relations for the nonprofit group Project Lead the Way.

The MLC committee also explored an example from the Midwest on exactly how to make school more relevant.

Under the Jackson Area College and Career Connection Early/Middle College program in Michigan, young people can earn college credits or technical and career credentials and gain work experience while still in high school.

The school’s principal, Mark Pogliano, told legislators that the way to address the skills gap in many state workforces is to do a better job of reaching students earlier in the education pipeline.

And to get students more excited about learning and future career opportunities, he suggested that an age-old question be turned on its head: Rather than asking a young person, “What do you want to be?” instead ask “What do you like to do?”

Brief written by Laura Tomaka (ltomaka@csg.org), CSG Midwest staff liaison to the MLC Economic Development Committee.

MLC Health & Human Services Committee

Rural ‘critical access’ hospitals face increasing risk of closing

Across the United States, at least 73 hospitals have closed since 2010, and another 283 are considered vulnerable.

Almost all of these closures, Dr. Keith Mueller of the University of Iowa told legislators in July, have been of critical-access hospitals — smaller facilities providing emergency care and acute inpatient care in underserved, rural areas.

His presentation at this year’s MLC Health & Human Services Committee meeting highlighted the vulnerability of these hospitals — and the people who rely on them — in today’s health care market. Medicare reimbursements to hospitals have been reduced, and private insurance plans have negotiated lower rates with a smaller number of in-network providers.

And evidence dating back to the 1970s, he said, shows that as health consumers see their deductibles rise, they are more likely to avoid treatment.

“I don’t want to be the first place [consumers] get care in a year,” said Mueller, director of the university’s RUPRI Center for Rural Health Policy Analysis.

“Critical access hospital” is a federal designation. It must be small (25 beds or fewer), rural (35 miles or more from another hospital) and offer all-hours emergency services. This designation provides cost-based reimbursement by Medicare, which tends to be higher than rates set based on diagnoses. This, in turn, helps reduce the financial vulnerability of rural hospitals.

Brief written by Debra Miller (dmiller@csg.org), CSG director of health policy.

Committee co-chairs



Kansas Rep. Susan Concannon



Illinois Rep. Robyn Gabel

In all, the 11 states of the Midwest have 595 critical-access hospitals, 47 percent of all such hospitals in the United States.

In some cases, Mueller said, the closed hospitals have been transformed into other types of health facilities — such as urgent or primary care clinics, nursing homes and rehabilitation centers.

“Opportunities to invest in change require that key stakeholders — hospital boards of trustees, hospital administrators, clinicians and the community— share a commitment to local services and the well-being of the population,” he said.

Rather than keeping hospitals open to preserve local jobs, he said, a different service mix might better meet community needs and still have a positive economic impact in rural areas. For example, rural areas might be better served with more primary care providers and local initiatives that focus on preventative services.

MLC Education Committee

Region’s states working on plans to implement replacement for No Child Left Behind Act

The federal Every Student Succeeds Act (ESSA) was signed into law in 2015 in an attempt to offer states relief from the stricter provisions of the No Child Left Behind Act.

And as members of the Midwestern Legislative Conference Education Committee heard in July, policymakers in the region have since been preparing to implement it in their respective states.

The ESSA places a greater emphasis on college and career readiness and scales back standardized testing, and also has new provisions on school accountability, support for struggling schools and student access to high-quality preschool.

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North Dakota Sen. Kyle Davison



South Dakota Rep. Jacqueline Sly

To be eligible for funding under the new law, each state must submit an implementation plan to the U.S. Department of Education. In developing a plan, states must seek input from a broad group of stakeholders, including superintendents, educators, community leaders, civil rights organizations and representatives of Indian tribes.

In the Midwest, Kansas, Michigan and North Dakota have formed one or more working groups to gather stakeholder input on ESSA implementation. In South Dakota, separate groups are now developing recommendations on accountability, school improvement, education effectiveness and English-language learners.

In Illinois, North Dakota and Wisconsin, a series of statewide listening tours and workshops have been held to collect input; Indiana, Nebraska and Ohio plan to hold similar events in the upcoming months. The Minnesota Department of Education held public meetings on 10 different ESSA topics in April and May and will host more meetings this fall.

The amount of work each state must undertake will vary based on existing accountability systems and whether they incorporate the same components that the new federal law requires. Nebraska’s accountability system, for example, was developed in 2014 using stakeholder input and, like the ESSA, emphasizes rigorous college and career readiness standards, multiple assessment sources, and targeted support for low-performing schools.

The act’s final regulations will be published in October, and states must submit their implementation plans to the U.S. Department of Education by next spring. The full ESSA provisions will go into effect during the 2017-2018 school year.

Brief written by Katelyn Tye (ktye@csg.org), CSG Midwest staff liaison to the MLC Education Committee.

MLC Agriculture & Natural Resources Committee

States weigh pros, cons of how closely to comply with new federal food-safety reforms

Passed by the U.S. Congress in 2011, the Food Safety Modernization Act marks the most sweeping reform of the nation’s food-safety laws in more than 70 years.

It has given the U.S. Food and Drug Administration a mandate to require comprehensive, prevention-based controls over the food supply, from the farm to the consumer and even animal feed. This includes inspections of every step of food production to ensure compliance — farms, processors and transporters.

And as members of the Midwestern Legislature Conference Agriculture & Natural Resources Committee learned in July, states must now decide what role they will play in implementing the new law.

That decision will have implications for agricultural producers and state agency budgets, said Jamie Clover-Adams, director of the Michigan Department of Agriculture & Rural Development. States that fully implement the new rules (in statute or their own regulations) could receive between \$2 million and \$5 million for education and enforcement over the next five years.

If a state declines to adopt the FSMA rules, federal funding will be minimal, with the FDA implementing education and inspections on its own.

But whichever option states choose, Clover-Adams said, it is important for states to inform agricultural producers about the big changes that lie ahead.

Brief written by Carolyn Orr (corr@sarl.us), CSG Midwest staff liaison to the MLC Agriculture and Natural Resources Committee.

Committee co-chairs



North Dakota Sen. Don Schaible



Iowa Sen. Mary Jo Wilhelm

“The role for states [is] to help their businesses compete and be successful,” she said.

For farmers, two finalized rules in FSMA will likely have the greatest impact on their operations: those on produce safety and on animal feed.

The new rule on produce, for example, establishes new standards for water quality, worker training and soil at these operations. It will impact growers of produce typically eaten raw, such as berries, lettuce and apples. Small farms are exempt, as are medium-sized operations whose sales are at least 50 percent local.

But beyond federal compliance, producers will also have to be mindful of what their consumers expect. Will the marketplace, or liability concerns, essentially compel all farms to comply with the new standards?

To help the region’s state legislators prepare for the changes ahead, the Midwestern Legislative Conference is developing a guide on FSMA implementation.

3 states’ approaches to water quality focus of session for legislators

If the state of Iowa were its own country, it would be the fourth-largest producer of corn and soybeans in the world.

The state’s 23 million acres of row crops help fuel the economy and feed the world, but this agricultural activity also contributes to a nutrient-runoff problem.

Iowa is not alone.

Efforts to improve water quality across the Midwest are increasingly focusing on how to prevent the phosphorus and nitrogen from agricultural operations from reaching state waterways.

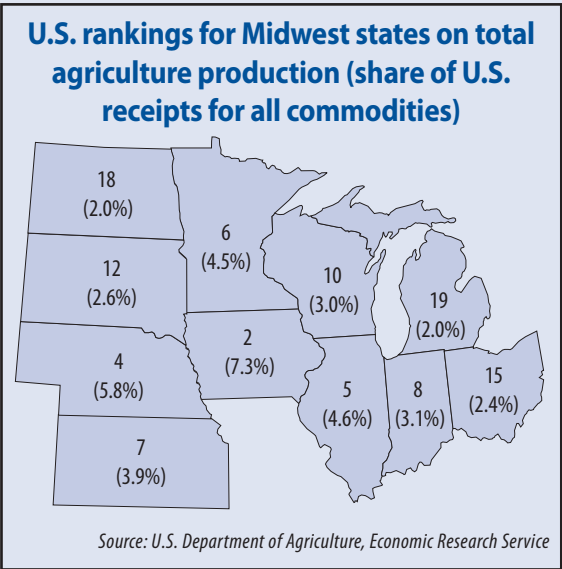
At this year’s Midwestern Legislative Conference Annual Meeting, lawmakers explored various approaches to improving water quality with the help of experts from Iowa, Minnesota and Wisconsin.

Sean McMahon, director of the Iowa Agricultural Water Alliance, described his state’s nutrient-reduction strategy as “voluntary but not optional” because of the deep cuts it seeks in total nitrogen and phosphorus loads. The target reduction level of 45 percent, he said, will require wide-scale adoption of conservation practices such as no-till or the use of cover crops, bioreactors and buffers. Through Iowa’s Water Quality Initiative (for which \$9.6 million was appropriated in the state’s FY 2017 budget), the state is now providing cost-share funds to farmers who agree to implement these practices.

For several years now, Minnesota has been using a dedicated source of funds to protect its water resources. This money comes from a voter-approved constitutional amendment that raised the state’s sales tax to support the arts, outdoor recreation and the environment. In FY 2016-2017, Minnesota’s Clean Water Fund received \$204 million. To further protect water quality, legislators approved a measure in 2015 (SF 5) requiring that vegetation buffers be placed along the state’s public streams, ditches, rivers and lakes.

In Wisconsin, an influx of new dollars may soon be available to fund projects that prevent nonpoint source pollution. This money will come from point sources: municipalities and industries with permits to discharge pollution under the Clean Water Act.

This model of “water quality trading” between point and nonpoint sources is the result of a rule promulgated by the Wisconsin Department of Natural Resources in 2010, along with subsequent state legislation. The DNR rule sets numeric limits on how much phosphorus can be discharged into Wisconsin’s rivers, streams and lakes.



In keynote address to legislators, Fishman lays out case, and strategies, for securing Midwest’s water future

As freshwater becomes an ever more precious resource, the Midwest, as custodian of the Great Lakes and the Ogallala Aquifer, is sitting on the liquid equivalent of a gold mine’s mother lode, Charles Fishman, author of “The Big Thirst: The Secret Life and Turbulent Future of Water,” told attendees at the 71st Midwestern Legislative Conference Annual Meeting.

The meeting’s keynoter opened with a story he heard from a former naval aviator who flew F-18s from the USS Kitty Hawk. Freshwater was used to clean his plane (and all planes) once a week, but the ship had to use its diesel fuel to make freshwater. Every time the ship’s radar picked up a squall line within 25 miles, the captain ordered all F-18s to take off and fly back and forth though the rain, while the ship turned into the squall — a great example of how to think about water.

“I think that today, we’re all living on the Kitty Hawk” and need leadership as innovative as that ship captain’s, Fishman said, calling upon policymakers to solve the region’s water infrastructure challenges for the next 100 years.

Given the recent Lake Erie algae bloom that kept Toledo residents from this water supply, the ongoing lead pipe crisis in Flint, Mich., and severe drought in California — and given that the Midwest’s states represent \$3.1 trillion worth of economic activity and are stewards of invaluable freshwater resources — Fishman said, “In our lifetime, there really hasn’t been a better moment to tackle water issues than right now.

“We know the policies to tackle water problems.”

Americans spend \$26 billion annually on bottled water vs. \$29 billion annually to maintain water infrastructure, he said, adding we use more water in three days than we use oil in a year. But we use less water overall than we did in 1970, an indication that massive change in a relatively short period is possible.

Act now, avoid water crises later

As the Midwest addresses water issues, Fishman recommended that state and provincial legislators keep three points in mind:

- All water problems are local and can be solved without a “Manhattan Project,” a moon shot or any kind of large-scale “crash” program.
- Water problems should be tackled now with a sense of urgency, before a crisis hits. “Water does not respond to wishful thinking,” he said.
- How we talk about water matters. For example, opponents of “reusing” water claim it’s like drinking from the toilet, but in reality, it’s no different than using restaurant silverware that was in someone else’s mouth just yesterday. Every drop of water on the planet has been here from the beginning and thus “has been through a dinosaur’s kidney six or eight times,” Fishman said, adding that this point means policymakers must address people’s emotional responses to such suggestions on reuse.

As examples, he cited Salisbury, Australia, a suburb of Adelaide, which, in the middle of the country’s 10-year drought, worked with its biggest water customer (a company that cleans freshly shorn wool). The company fronted the capital cost to build wetlands that filter the city’s water and store it in an aquifer. While not potable,



“If you do these things, you’ll secure your water future. You’ll have an incredible set of tools for economic development and for economic security.”

Author Charles Fishman, during his presentation at this year’s MLC Annual Meeting

it’s clean enough for irrigation and cleaning wool. The town now earns \$1 million annually selling that water.

An IBM chip plant in Burlington, Vt., cut its water use by a third and increased production by a third after loading its water system with sensors and analyzing the resultant data, Fishman said. Impressed with the results, IBM headquarters took that plant’s water team and created the IBM water division, which now advises clients on how to reduce water use. And in San Antonio, local officials realized it was cheaper to pursue water conservation by buying and installing low-flow toilets for residents than to find new water sources.

The common thread in these three examples, Fishman said, is that the solutions resulted from looking at current and future water problems with clear eyes, not wishful thinking.

He urged the Midwest’s states to develop comprehensive five- and 50-year water plans, and then continuously update them; to extend the Great Lakes compact beyond just protecting the lakes from overuse to keeping them as sustainably clean as possible; to create a compact-like organization that promotes and implements water-smart agriculture practices; and to have Nebraska and Kansas lead the creation of an interstate agreement to save Ogallala Aquifer.

“If you do those things, you’ll secure your water future,” he said to legislators. “You’ll have an incredible set of tools for economic development, and for economic security. ... So at the same time you are securing your water future, you’ll be creating new jobs and new insight to help other people solve exactly those problems.”

Article written by Jon Davis, CSG Midwest policy analyst and assistant editor. He can be reached at jdavis@csg.org.

Heckman: Instead of simply trying to solve problems, invest in state policies to prevent them

passage of the Comprehensive Child Development Act. President Richard Nixon vetoed that bill, however, citing the need to protect the sanctity of American families raising their own children.

Nixon raised a valid concern, Heckman said, and it is a point that policymakers should remain mindful of today.

For example, provide families with resources that promote positive parenting, but don't tell mothers and fathers how to parent. And rather than having states or the federal government deliver early children's programs and family supports, he said, turn to private industry and local community groups.

But he also urged state legislators not to ignore the body of evidence that exists from the Perry preschool study and many others, and also to understand the consequences of the country's changing family structure.

Close to 40 percent of births in the United States are now to unwed mothers, he said, which itself has been a significant contributor to rising inequality.

"It's not going to be easy to reverse this trend," Heckman said. "I know some people have proposed that. What I'm proposing is that we understand the trend, we live with it, and we ask, 'What are the consequences for children?' And then we adopt policies accordingly."

Broadly speaking, this means new state programs that support quality parenting and help build cognitive, social and emotional skills in young children.

"Instead of just solving a problem after it

occurs, think rather of preventing the problem in the first place," he said.

Right policies reduce long-term costs

As part of her introduction to Heckman at the MLC session in July, Rep. Ballweg shared with her legislative colleagues some of the emerging early-childhood policies in her home state.

Wisconsin, for example, has implemented a five-star system that rates the state's child care providers and helps them improve quality of care.

"Over the past two years," Ballweg said, "Wisconsin has seen an increase in the number of children served by high-quality programs."

The state also now funds home-visiting programs that serve at-risk families living in high-risk communities. These programs can help pregnant women make healthy choices that lead to healthy, full-term babies, and they also target assistance for families with children from birth to age 8.

One goal of state-funded home visits is to prevent child abuse and neglect, and to reduce the prevalence of adverse childhood experiences. Known as "ACEs," they can have negative, lifelong effects on young people.

And to help people suffering

from the impact of adverse childhood experiences, Wisconsin is training health providers, social service agencies and others about how to deliver trauma-informed care.

Rep. Ballweg and her colleagues have also started



Causes of income inequality among U.S. households, 1979-2007	
Factor*	Estimated impact on inequality
Household structure	23% to 33%
Men's employment	5%
Men's earning disparity	50% to 73%
Women's employment	-22% to -25%
Women's earning disparity	20% to 29%
Assortative mating	10% to 11%
* Of these six factors, only "women's employment" (the long-term trend of more women working) led to greater income equality among households. Trends contributing to income inequality include the rise of more single-parent households ("household structure"), greater variances in the wages earned by different workers ("earning disparity"), and an increase in "assortative mating" (college graduates more likely to marry one another, for example).	
Source: James Heckman, July 19 presentation at the Midwestern Legislative Conference Annual Meeting	

a bipartisan Legislative Children's Caucus. That group's first event brought together a diverse field of experts (psychologists, social scientists and economists) and legislators to focus on early childhood.

"With the right policies in place, the results will be reduced costs and more-productive citizens in each of our Midwestern states and provinces," Ballweg said to her legislative colleagues at the MLC Annual Meeting. ★

As chair of the Midwestern Legislative Conference, Wisconsin Rep. Joan Ballweg is helping raise awareness among her fellow legislators about the value of making smart investments in early-childhood programs.

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Legislators get ideas on how to address rise in teacher shortages

For several years in her home state of South Dakota, Rep. Jacqueline Sly was part of discussions inside and outside the Legislature about addressing the state’s shortage of teachers.

Those talks turned into significant legislative action this year, and all of that legwork leading up to the bills’ passage taught Sly, a former educator herself, a lesson about boosting the supply of qualified teachers.

“There isn’t a silver bullet,” Sly, co-chair of the Midwestern Legislative Conference Education Committee, said at the start of a July 19 session at the MLC Annual Meeting.

But as legislators learned from the session’s three expert speakers, implementing a mix of strategies holds the promise of lessening these shortages.

For now, the dearth of teachers is a problem that appears to be worsening in different parts of the Midwest and that is especially acute in certain fields. In Wisconsin, for example, the need to fill positions in special education and bilingual education with “emergency staffing” has increased 53.8 percent and 89.6 percent, respectively, over the past four years.

In recent years, too, there has been a sharp decline in the number of candidates enrolled in teaching license programs (see map). And among teachers who enter the profession, attrition rates are rising, with 8 percent of instructors now leaving the job after their first year.

“The turnover rate at high-poverty schools is far higher,” said Ellen Sherratt, a senior research and policy analyst for the American Institutes for Research, adding that the most commonly cited factors for leaving or staying include supportive school principals, family involvement in the students’ education, and help in dealing with students’ behavioral or other problems.

To improve the pool of qualified, high-performing teachers, she said, states must address all three aspects of talent development: 1) attract; 2) prepare; and 3) develop, support and retain.

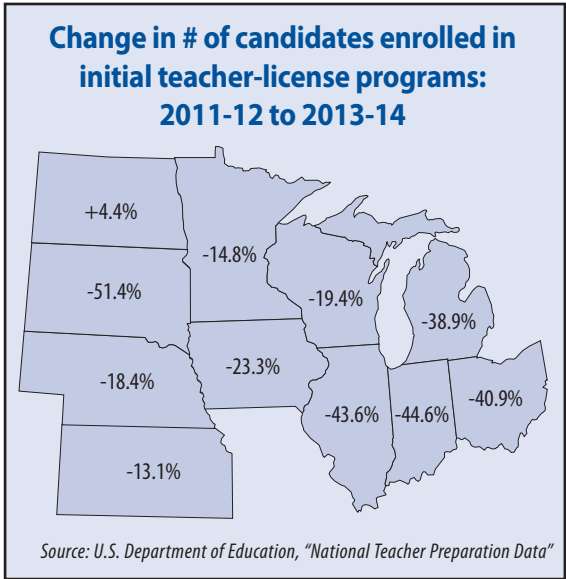
On the first point, Sherratt noted that only 26 percent of U.S. teachers come from the top third of graduating college students. In high-performing nations such as Singapore and Finland, the rate is 100 percent.

She recommended that states start “high school teacher cadet” programs to raise awareness and interest in the profession. Another idea is to more closely study supply-and-demand trends for teaching, and then use the findings as the basis for policies on recruitment and retention.

Beyond any specific new state policies, a second speaker at the MLC session, Reid Riggle, asked legislators to consider these questions: When was the last time you read or saw a positive news story about the profession and teachers themselves? Why is teaching a culturally revered profession in countries such as Iceland and Singapore, but not here?

“We need to upend the message about teaching to a positive message if we want talented young people to choose [it],” said Riggle, president of the Wisconsin Association of Colleges for Teacher Education.

One impetus for South Dakota’s actions this year was its dead-last ranking in teacher pay, and the Legislature’s enactment of a half-cent raise in the sales tax will allow average salaries to increase from \$40,000 a year to \$48,500. But higher pay is



only part of a multifaceted approach now being implemented to improve the teacher pipeline, Melody Schopp, South Dakota secretary of education, said during her presentation.

The state will provide professional development in the summer for individuals between their first and second years in the profession and will fund programs that match new teachers with veteran instructors.

“It’s about more than just salaries,” Schopp said, and it’s also about more than just finding teachers.

In South Dakota, some schools are more than 100 miles from the nearest Starbucks or the nearest fresh fruit and vegetables. This makes filling every open position very difficult, Schopp said, even with higher pay and better mentoring.

Part of the state’s new law invests in projects to expand online learning opportunities, so qualified instructors can reach students remotely.

Article written by Tim Anderson, CSG publications manager. He can be reached at tanderson@csrg.org.

Restorative justice holds promise of deeper healing, lower long-term costs

An alternative approach is available to states and communities seeking to reduce incarceration and recidivism rates, and their attendant price tags.

Restorative justice is a victim-centered recognition that crime is not just a violation of law, but is an action against people — that someone has been victimized. It creates a community-based process during which victims might confront perpetrators, and all parties negotiate restitution aimed at healing personal and community wounds.

Mark Umbreit, director of the Center for Restorative Justice and Peacemaking at the University of Minnesota’s School of Social Work, outlined the process for legislators during a public policy roundtable discussion at the 71st Annual Meeting of the Midwestern Legislative Conference.

There are four basic approaches to restorative justice:

- Victim-offender mediation, in which victims may confront a perpetrator directly or through mediators.
- Group conferencing, which includes support people for both the victim and the perpetrator, along with others from the community.
- The use of “circles” of people — much like

group conferencing, but often with wider community participation to create an agreed-upon way to address the harm caused by the perpetrator.

- “Other” approaches similar to those above, which likewise aim to address the harm.

Victims have the opportunity — but not an obligation — to participate in this process.

“There is lots of empirical evidence that this can be highly effective” in promoting genuine healing and in reducing recidivism rates, which creates big savings since incarceration rates drop, Umbreit said to legislators.

Under current justice systems, he said, offender accountability means taking the punishment. Under restorative justice, accountability means taking responsibility and action to repair the harm to victims.

He referred to this criminal justice model as a “back to basics” movement that aims to heal the personal and community wounds caused by crime, adding that it can be deployed anywhere in the justice system’s time line, from pre- or post-trial to pre-sentencing to probation.

The Ontario city of Kitchener was the first community to begin a restorative justice program; it began by working with juvenile, nonviolent offenses. Restorative justice programs now exist in all 50 states, and at least 31 states have references to this model in their law. Colorado is the first U.S. state to provide a sustainable funding stream for restorative justice programs, he said. (A 2013 law, HB 13-1254, sets a \$10 surcharge on offender fees to fund pilot projects and research on the value of restorative justice, as well as the position of state restorative justice coordinator.)

School systems are increasingly looking into and starting restorative justice programs, too, Umbreit said.

Manitoba MLA Andrew Swan, a former justice minister who is now the opposition’s justice critic, asked how governments can “market” restorative justice to victims and convince people to be part of the restorative-circle process.

One very effective technique, Umbreit said in response, is to highlight positive comments from former skeptics of the process, and then begin to roll out the restorative justice model with mid-level felonies. Simply addressing low-level crime just isn’t “cost effective” in trying to reduce the expense of incarcerating repeat offenders, he added.

“Restorative justice is more in the tradition of ‘tough love,’” he said.

Umbreit recommended that governments applying for restorative justice funding pursue grants of two to three years, and then develop a business plan that includes a cost-benefit analysis.

Article written by Jon Davis, CSG Midwest policy analyst and assistant editor. He can be reached at jdavis@csrg.org.



Slow economic growth, weak global markets challenge Midwest states

The Midwest, long reliant on manufacturing and agriculture to power its economy, is facing a mix of global conditions that will likely mean continued slow growth for the foreseeable future, regional economist Rick Mattoon warned state legislators in July.

Add in the increased volatility of personal income tax collections (a key source of state revenue), he said, and the time seems right for legislative caution on state budgets.

“The best policy hedge [against volatility and limited growth] is to carry a higher rainy-day fund,” Mattoon, a senior economist and economic adviser for the Federal Reserve Bank of Chicago, said to legislators who attended this year’s Fiscal Leaders Roundtable at the Midwestern Legislative Conference Annual Meeting.

Typically, fiscal leaders and economists have recommended end-of-year balances of 5 percent.

But Mattoon suggested that legislators aim higher than that, given the year-to-year unpredictability of non-wage income (capital gains, for example) and the fact that it has become a bigger part of the revenue mix in most states.

John Hicks, executive director of the National Association of State Budget Officers, said in his presentation to legislators that many states already have begun to tweak their fiscal policies.

“Even though revenue growth hasn’t been strong, we have been putting more into our savings accounts,” he noted about trends during this decade. For fiscal year 2016, Indiana, Iowa, Minnesota, Nebraska, North Dakota and South Dakota were estimating end-of-year balances near, at or above 10 percent.

Some states are enacting additional budget policies to deal with the revenue volatility; in Minnesota, for example, the state now conducts “stress tests” to evaluate whether its amount of budget reserves is sufficient.

According to Mattoon, most forecasts point to the U.S. economy plodding along in 2017, at a growth rate of about 2 percent. While the United States arguably has the strongest economy in the world right now, he said, “it doesn’t feel that way” because of consistently slow growth since the Great Recession.

That growth has been even more tepid in much of the Midwest, at least according to one measure of economic activity used by the Federal Reserve (see map).

Looking ahead, weak foreign markets will be a challenge for the region’s manufacturers, while the record profits for U.S. farmers in 2012 are becoming a distant memory.

“That industry mix is a challenge for the Midwest. ... If you’re selling in the world right now, you have to say, ‘Who is your trade partner?’” noted Mattoon, highlighting slower growth in China as well as Europe’s stagnant economy (even before Brexit).

Lower corn, soybean, milk and hog prices are putting major pressures on agriculture producers, and a stronger U.S. dollar is putting a strain on all of the nation’s exporters.

But Mattoon said there are positive signs as well, perhaps notably the drop in employment rates and the rise of jobs in higher-wage sectors.

Article written by Tim Anderson, CSG publications manager. He can be reached at tanderson@csq.org.

Jamieson: Preemptive, truthful communication critical in polarized era

Hours before her scheduled talk to the Midwest’s legislators on communication in a polarized political environment, Kathleen Hall Jamieson was struck by a touching moment of unity at the meeting’s luncheon.

Wisconsin Sen. Fred Risser, longest-serving state lawmaker in the nation, was being honored for his 60 years of legislative service.

“I saw you stand spontaneously and give him a warm, extended round of applause,” Jamieson said at the start of her presentation at the Midwestern Legislative Conference.

“You were not partisan in that moment. You weren’t Democrats or Republicans in that moment. You were legislators in that moment, identifying with his commitment to public service.”

Those cheers for Sen. Risser were a reminder that “we aren’t partisans most of the time,” said Jamieson, a professor of communication at the University of Pennsylvania’s Annenberg Public Policy Center and a founder of *factcheck.org*.

“We are someone’s son or daughter, someone’s brother or sister, someone’s father or mother,” she said. Or in the case of the audience at the MLC meeting, legislators trying to serve their constituents and states by enacting good policy.

Yet these elected officials must govern and lead at a time when the country has become more polarized — for example, people today are more likely to marry, live near and converse with people of similar ideological leanings.

According to Jamieson, even a seemingly nonpartisan issue such as state responses to the Zika virus can turn partisan once it gets tied in with one of many hot-button issues, whether it be the safety of a future vaccine, the introduction of genetically engineered mosquitoes, or abortion access for mothers who have contracted the virus.

“Do everything you can to keep the issue from being harnessed to other controversial is-



“We aren’t partisans most of the time. ... We are someone’s son or daughter, someone’s father or mother.”

Communication expert Kathleen Hall Jamieson, during her presentation at this year’s MLC Annual Meeting in Milwaukee

sues,” Jamieson said. “Because when you do, you change the equation and change how you’re able to govern.”

Her advice to legislators is to practice the art of preemptive, truthful communication.

On Zika, for example, disseminate facts and information about the virus early on, before the issue becomes polarized.

“Know what your key points are and get them out there,” she said. “Be an informer and not a legislator.”

Jamieson also warned lawmakers about the perils of not labeling bills, new state laws or state programs accurately.

“Everybody encourages you to label things when you’re legislating,” she said. “You want the label to make the bill sound as expansive as possible, as tied to people’s values as you can, and as wonderful as you can possibly make it.”

But the problem comes when the bill doesn’t deliver what the labeling promised.

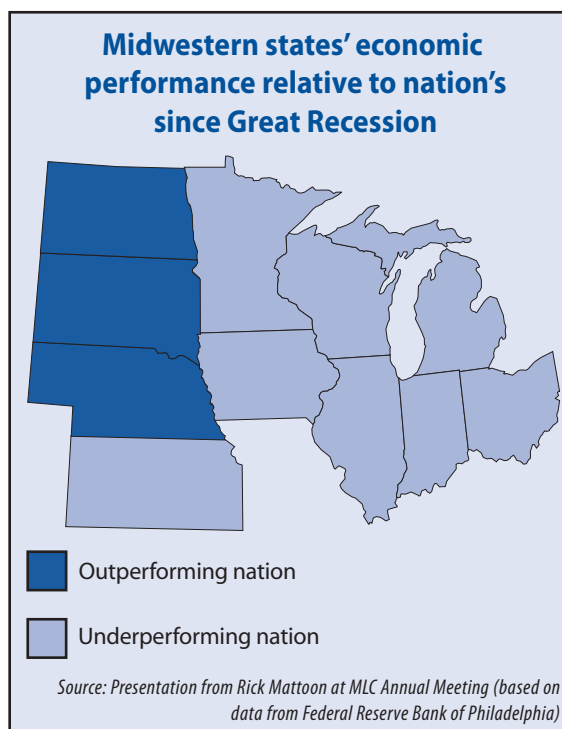
She used the federal assault weapons ban as a case in point. That law was attacked on grounds that it had done little to prevent gun violence, but the real problem was with how the bill’s proponents had labeled it. It wasn’t a ban at all, Jamieson said, because the federal law included many exemptions.

“It misled people on both sides of the debate, and then it comes back and bites you when it doesn’t accomplish the objective that people heard when you labeled it.”

According to Jamieson, lawmakers also have a role to play in communicating to the public the successful, nonpartisan work being done in their states. Highlight the success of state programs, she said, with fact-based, data-driving stories.

“Sometimes the things you do best you don’t get credit for,” she said. “You’ve averted something, and nobody knows you did it.”

Article written by Tim Anderson, publications manager for CSG Midwest. He can be reached at tanderson@csq.org.



Iowa Sen. Janet Petersen

Des Moines-area native uses personal stories of her constituents, and her own experiences, as inspiration to improve public policy

by Tim Anderson (tanderson@csg.org)

During her 16 years in the Iowa Legislature, Janet Petersen has had plenty to do outside of it — raising her three children, for example, and founding a state nonprofit to save babies and then helping build it into a global movement.

But being a state legislator, and being able to pass legislation that improves individual lives, remains as special as ever for the Iowa native.

“I like to help people turn their voices and stories into good public policy,” she says. “You get to see a great side of people; you see the advocacy and the passion. It’s such a fun process to be part of.”

Petersen’s own story, in fact, shows how personal experience, and sometimes tragedy, can be a catalyst to help others.

She and her husband, Brian Pattinson, lost their second child, Grace, due to a true knot in her umbilical cord. The doctor said it was a rare occurrence, but Petersen soon learned that, at the time, 1 out of 160 pregnancies were ending in stillbirth. That was not rare enough for Petersen, so she made it her mission to make Iowa the “safest place in the nation to have a baby.”

As a legislator, she was in a unique position to do something about it.

First, Petersen helped lead the way in making Iowa the first state to expand its birth-defects registry to include data collection on stillbirths.

Then, in 2009, she and four other women from central Iowa (all of whom had lost a child due to pregnancy complications or stillbirth) created Healthy Birth Day, a nonprofit organization that launched a public awareness campaign known as Count the Kicks.

“Iowa’s stillbirth rate has gone down every year since it started, and we’re down 26 percent overall,” Petersen says. “We were 33rd worst in the country for the number of stillbirths, and now we’re third best.”

“What we really want to do now is get more states on board.”

The group also has a global reach, thanks to a mobile app that helps moms “count the kicks” and be better aware of decreased fetal movement.

“We’ve heard from moms and about how the campaign saved their babies, and their stories are real tear-jerkers,” Petersen says.

Interactions with parents and other constituents not only touch Petersen personally, they help shape her legislative work — whether it has been a leadership role on legislation to ban smoking in most public places, or a bill this year to help Iowa’s refugee population. In a recent interview with CSG Midwest, Sen. Petersen reflected on her 16 years in the Legislature. Here are excerpts from the interview.

Q: How did you first get interested in public policy and serving in the Legislature?

A: When I was young, my dad was diagnosed with melanoma and died very quickly, so my mom needed to re-enter the workforce. Our minister told her about a job lobbying for social justice issues for a coalition of churches, and she took it. So very early on in my life, our dinner-table discussions often revolved

Bio-sketch of Sen. Janet Petersen

- ✓ member of the Legislature since 2001; currently serves as Senate Commerce Committee chair
- ✓ incoming Midwestern Legislative Conference chair; graduate of the MLC’s Bowhay Institute for Legislative Leadership Development (class of 2002)
- ✓ founder of the nonprofit Healthy Birth Day and its Count the Kicks public health campaign
- ✓ has three children with husband, Brian Pattinson



around the issues that my mom was working on at the statehouse. That started my love of public policy.

Q: You joined the Legislature at age 29, just as you were starting a family of your own. And you soon became a leading advocate of passing a Smokefree Air Act in Iowa. What do you recall about that legislative effort?

A: I introduced it several times, and it finally passed in 2008. What I think of now is how that law has changed our society and our medical bills, and I hope it means there are more people in Iowa who are able to be grandparents and enjoy longer, healthier lives because they didn’t smoke or gave it up.

Q: More recently, you sponsored legislation (funding for which ultimately was included in this year’s budget) to help Iowa’s population of refugees. What is the goal of this new law?

A: In the high school that is a quarter mile from my house, one out of five students there now is a refugee. A lot of our refugees come from Burma, and for many of them, they have been in refugee camps for so long, they don’t understand some of the things that we might take for granted. They need our help, and the state is going to provide dollars for local programs that team up refugees with AmeriCorps volunteers in order to help teach refugee communities how to work within our culture.

Our state has a strong reputation of welcoming refugees, all the way back to post-Vietnam and our governor, Robert Ray, responding to a letter [from President Gerald Ford] to take in what at the time were called “boat people.”

He was the only governor who responded to the letter. He called upon Iowans and our churches to embrace and welcome [the refugees]. I was a young kid when it happened, and our little tiny church welcomed a family, including a child my age. It was such a fascinating thing to see what happens when you are a welcoming state: You help people get assimilated into our country, and you can see the great things they go on to do. They’ve become an important part of the fabric of Iowa.

Q: The recent refugee bill is one example of how Iowa has been able to get things done under divided government, with the state Senate controlled by Democrats and the House and governor’s office by Republicans. How has that worked in your home state?

A: I think we’ve done a good job in Iowa of showing that we don’t have to choose gridlock under divided government. Of course, there are going to be issues that you’d love to see advance that just aren’t going to happen. ... Every year when you get through an election, it’s kind of an art of figuring out what is going to be possible under this group of people. Then you try and find out how far you can get, from the perspective of both sides of the aisle. ★

Sen. Petersen’s hometown will host legislators at next year’s MLC meeting

The Midwestern Legislative Conference Annual Meeting last came to Des Moines in 2004, and state Sen. Janet Petersen has a message for her fellow legislators from the region: Expect to be pleasantly surprised about all of the changes to Iowa’s capital city.

“I’m excited to show off Des Moines, because it has really become a thriving magnet for the millennial generation,” says Petersen, the incoming chair of the MLC who lives in and represents a northwest part of the city. Des Moines, too, is now home to the World Food Prize, and its riverfront has been renovated and become part of a system of connected biking and walking trails in the downtown area.

As for the meeting itself, Petersen hopes to continue the four-day event’s tradition of being a place where legislators can learn from one another and policy experts in a nonpartisan environment.

“It seems like our country is at a point where we are ready to get back to civic engagement, and finding good public policy ideas together,” Petersen says.



Midwestern Legislative Conference
DES MOINES
72nd Annual Meeting JULY 9-12, 2017



Finding the right balance for punishing, treating drug offenders

Minnesota law keeps some out of prison, but gets tougher on dealers

by Minnesota Rep. Tony Cornish (rep.tony.cornish@house.mn)

Minnesota lawmakers faced an unusual situation this session, watching as new drug-sentencing guidelines were set to become law even though the Legislature had nothing to do with their crafting.

In 1978, the House and Senate agreed to cede some of their lawmaking power to the Minnesota Sentencing Guidelines Commission. Under this agreement, commission appointees can make recommendations regarding criminal sentencing and, unless the full Legislature changes those guidelines or rejects them completely, they become law on Aug. 1 of that year.

Facing a nearly 500-bed shortage in our prisons, and feeling the itch to reform state laws relating to illegal drug sales and usage, the commission issued a series of new drug-sentencing guidelines.

In my opinion, its proposals were far too lenient — especially for first-degree and first-time drug offenders. Many agreed, as the law enforcement, county attorney and victim representatives on the panel voted “no” on the recommendations. But they were outnumbered. So the plan was controversial from the start.

Drug-law reform has broad support

To me it appeared the commission was attempting to keep people out of prison in order to save the state money, which is the wrong reason to change criminal sentences. Yet there was support not only within both parties of the Minnesota legislature, but also among county attorneys, law enforcement agencies and citizen advocacy groups, to reform how our state addresses drug crimes.

With that in mind, we all chose to hammer out an agreement we could live with before our legislative session ended — and before the commission’s recommendations became law.

During the weeks of negotiations, tempers flared, arguments were plentiful, and people left the room in anger. But the overwhelming goal was to make prison sentences tougher for drug dealers while providing treatment for the low-level, chemically dependent offender. Days before lawmakers were required to adjourn, we did just that.

Under our old laws, if you committed a drug crime, you received a mandatory sentence regardless of its severity. According to Minnesota’s new law, judges have the ability to depart from the sentencing guidelines on lesser-degree drug crimes. Also, a judge is only required to assign a binding penalty if the criminal had committed an identical first- or second-degree offense.

However, when it comes to “kingpin” dealers who are in possession of or selling mass amounts of illegal substances, we are not only delivering a mandatory sentence but also giving the judge the discretion to make it tougher if he or she deems it necessary. The new law also mandates that a judge cannot alter the sentence if the offense involves drugs and firearms.

In addition, we addressed the amount of drugs

Minnesota’s sentencing guidelines for sale, possession of drugs		
Criminal charge	Current sentencing guidelines, as of Aug. 1 (description of the type of sale or possession)	Previous sentencing guidelines
First-degree sale*	65 months in prison (for sale of 17 grams or the sale of 10 grams with a firearm or two other “factors”)**	86 months in prison (for sale of 10 grams)
First-degree possession*	65 months in prison (for possession of 50 grams, or 25 grams with firearm or two other “factors”)**	86 months in prison (for possession of 25 grams)
Second-degree sale*	48 months of probation (for sale of 10 grams, or 3 grams with firearm or three other factors)**	48 months in prison (for sale of 3 grams)
Second-degree possession*	48 months of probation (for possession of 25 grams, or 6 grams with firearm or three other “factors”)**	48 months in prison (for possession of 6 grams)
First-degree marijuana sale	65 months in prison (for sale of 25 kilograms)	86 months in prison (for sale of 50 kilograms)
First-degree marijuana possession	65 months in prison (for possession of 50 kilograms or 500 plants)	86 months in prison (for possession of 100 kilograms)
Second-degree marijuana sale	48 months of probation (for sale of 10 kilograms)	48 months in prison (for sale of 25 kilograms)
Second-degree marijuana possession	48 months of probation (for possession of 25 kilograms or 100 plants)	48 months in prison (for possession of 50 kilograms)
* First- and second-degree sale and possession weights apply to cocaine and methamphetamine; sentences for those criminal charges apply to cocaine, methamphetamine and heroin.		
** “Factors” refers to aggravating factors such as selling over state or national lines, making three or more sales, selling to benefit a gang, or the defendant being in a high position in a drug-distribution hierarchy.		
Source: Minneapolis Star-Tribune, St. Paul Pioneer Press		

To me it appeared the commission was attempting to keep people out of prison to save the state money, which is the wrong reason to change criminal sentences.

a person must have in his or her possession before being charged with a crime. For example, the total amount of methamphetamine needed to trigger charges actually increased, while we agreed to get tougher on marijuana. The heroin guideline stayed exactly the same.

These changes took effect in August.

With this new law, Minnesota expects to keep 600 low-level offenders out of prison. The projected \$12 million in annual savings would then be used to improve funding for return-to-society programs, treatment and probation facilities, and halfway houses.

It’s my hope that improved records and statistics will also come with these changes. In several years we should be able to determine whether treatment is preventing convicted drug users from re-offending, as well as tracking whether judges are taking advantage of their new authority to strengthen penalties against those who bring deadly drugs to the masses.

Minnesota has now implemented the first major changes to our drug-sentencing guidelines in nearly three decades. Nearly every group that participated in the creation of these new guidelines

left the table dissatisfied. And that is probably a good thing, because that’s usually the sign of an effective compromise.

Doing nothing was not an option, as allowing a state commission’s recommendations to become law would have been extremely problematic. Our solution wasn’t the perfect answer, but it was an answer — and a good first step toward addressing drug crimes in Minnesota as well as our prison overcrowding problem. ★

Rep. Tony Cornish, a Republican from Vernon Center, was first elected to the Minnesota House of Representatives in 2002.

Submissions welcome

This page is designed to be a forum for legislators and constitutional officers. The opinions expressed on this page do not reflect those of The Council of State Governments or the Midwestern Legislative Conference. Responses to any FirstPerson article are welcome, as are pieces written on other topics. For more information, contact Tim Anderson at 630.925.1922 or tanderson@csg.org.

At MLC meeting in Milwaukee, legislators take part in sessions on public policy, professional development

Hundreds of state and provincial legislators left Milwaukee this July with new ideas on how to advance government and public policy in their home state.

Over a four-day span, the Midwestern Legislative Conference Annual Meeting offered participants sessions in a wide range of areas. For example:

- a keynote presentation on the future of water and water policy in the Midwest (see article on page 4);
- two luncheon speeches, one that looked ahead to the world of work and skills in the “man-machine age” and a second one that looked back at some of the most important political speeches in U.S. history;
- roundtable discussions on combating opioid abuse, better caring for people with Alzheimer’s disease, and implementing a model of restorative justice (page 6);
- a series of policy sessions on agriculture, economic development, education, health and Midwest-Canada relations (see pages 2 and 3);
- a meeting of fiscal leaders from the Midwest that explored key trends in the regional economy and reviewed the current state of budget conditions (see page 7); and

- a speech by communication expert Kathleen Hall Jamieson (founder of *factcheck.org*) on how legislators can effectively deliver their message in a polarized political environment (see page 7).

This year’s meeting was held in Milwaukee. Wisconsin Rep. Joan Ballweg, chair of the MLC, led the work of her host state in planning the event and welcoming fellow legislators.

Her chair’s initiative on early-childhood development (see pages 1 and 5 for details) was the focus of a series of sessions on the third day of the meeting. The event concluded with professional-development workshops on how state legislators can make the most of social-media tools and how they can best serve and connect with people from all generations.

MLC adopts four policy resolutions

On the final day of the event, the MLC approved four policy resolutions. These policy statements voiced support for

- the Protein Highway, a new state-provincial partnership to bolster innovation around the Midwest’s production of plant proteins;
- state policies that help deploy advanced, innovative electric transmission technologies;

About the Midwestern Legislative Conference and its Annual Meeting

- ✓ The MLC is a nonpartisan group of all legislators from 11 Midwestern states; four Canadian provinces are affiliate members
- ✓ CSG Midwest provides staff support to the MLC
- ✓ The MLC Annual Meeting is held every year in a Midwestern state or province; the group has been meeting since 1945
- ✓ The meeting fosters the exchange of ideas and information among participants, including legislators, policy experts and renowned speakers
- ✓ The family-friendly event offers a mix of adult and children’s events for attendees’ guests of all ages

- a strengthening of the U.S. farm bill’s crop insurance program and the adoption of policies to reduce inequities in the Agriculture Risk Coverage-County program; and
- Taiwan’s increasing profile in international relations, including its relationship with the Midwest.

2016 MLC Annual Meeting: Sharing Capitol Ideas in the Midwest



Michigan Rep. Triston Cole and Wisconsin Rep. Warren Petryk meet during the 71st Annual Meeting of the Midwestern Legislative Conference, which was held July 17-20 in Milwaukee.



Wisconsin Rep. Joan Ballweg presents Wisconsin Sen. Fred Risser with a plaque honoring his 60 years of service in the Legislature. Risser, a two-time former chair of CSG Midwest’s nonpartisan Midwestern Legislative Conference, is the longest-serving state legislator in the United States. Rep. Ballweg is serving as this year’s MLC chair.



Indiana Sen. Ed Charbonneau talks with keynote speaker Charles Fishman following a presentation on the future of water and water policy in the Midwest.



Illinois Rep. Elaine Nekritz (middle) addresses the MLC Executive Committee as two fellow Illinois lawmakers — Rep. Robyn Gabel and Sen. Donne Trotter — look on.



Two chairs of state legislative committees on education, Nebraska Sen. Kate Sullivan and South Dakota Rep. Jacqueline Sly, share ideas during a meeting of the MLC Education Committee.

The Council of State Governments was founded in 1933 as a national, nonpartisan organization to assist and advance state government. The headquarters office, in Lexington, Ky., is responsible for a variety of national programs and services, including research, reference publications, innovations transfer, suggested state legislation and interstate consulting services. The Midwestern Office supports several groups of state officials, including the Midwestern Legislative Conference, an association of all legislators in 11 states: Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin. The Canadian provinces of Alberta, Manitoba, Ontario and Saskatchewan are MLC affiliate members.

July meeting of Great Lakes caucus attracts legislators from across basin

Bipartisan, binational group strengthens policy role for states, provinces

Legislators representing states, provinces and communities from across the Great Lakes basin met for two days in Milwaukee for site visits and a series of sessions on how to protect the largest freshwater system in the world.

The nonpartisan, binational Great Lakes Legislative Caucus receives staff support from CSG Midwest.

The July meeting began with a site visit to the state-of-the-art research facilities at the University of Wisconsin-Milwaukee's School of Freshwater Sciences. Attendees then traveled to Racine, where they learned how green infrastructure and other improvements helped transform the Wisconsin city's North Beach into one of the top freshwater beaches in the nation.

The next day of sessions included an update on progress being made under the Great Lakes Restoration Initiative, the largest investment in the nation's history to protect and restore the lakes.

The GLRI has brought \$2 billion to the region over the past six years, Cameron Davis, special adviser to the U.S. environmental protection administrator, told legislators. That money has helped accelerate the cleanup of so-called "Areas of Concern" (four U.S. sites in the Great Lakes basin have now been delisted), funded Asian carp control plans, and protected or restored 36,000 miles of wetlands or habitat in targeted watersheds.

Lawmakers also shared details on some of the new water laws and legislation in their states — from Ontario's Great Lakes Protection Act to a new buffer law in Minnesota to prevent nonpoint source pollution.

Other sessions included a science-based spotlight on Lake Michigan and a focus on revitalizing the Great Lakes region and its waterfront communities. At a luncheon session, Peter Annin,



As part of a site visit at the Great Lakes Legislative Caucus meeting in Milwaukee, Ohio Rep. Michael Sheehy, Indiana Rep. B. Patrick Bauer and Wisconsin Rep. Cory Mason sail on the Neeskay, which is the primary research vessel used by the University of Wisconsin-Milwaukee's renowned School of Freshwater Sciences. That site visit kicked off two days of activities devoted to helping state and provincial legislators learn how they can better restore and protect the Great Lakes.

author of "The Great Lakes Water Wars," gave his perspective on the Great Lakes-St. Lawrence River Basin Water Resources Compact, as well as governors' recent approval of Waukesha's proposed diversion of Lake Michigan water.

Through its mix of programming, advocacy and activities, the Great Lakes Legislative Caucus provides a forum for the regional exchange of ideas and information on key Great Lakes issues. Its goal is to strengthen the role of state and provincial legislators in the Great Lakes policymaking process.

Membership in the caucus is free and open to all state and provincial legislators in the 10 Great Lakes states and provinces.

Wisconsin Rep. Cory Mason serves as caucus chair; Michigan Sen. Darwin Booher is the vice chair.

Illinois Rep. Elgie Sims joins MLC leadership team

Elgie R. Sims, a member of the Illinois House since 2013, has been chosen by fellow state legislators from across the region to join the Midwestern Legislative Conference leadership team.

The election took place in July during a business session of the MLC.

Rep. Sims is a graduate of two leadership programs of The Council of State Governments: the MLC's Bowhay Institute for Legislative Leadership Development (class of 2014) and the national Henry Toll Fellowship Program (class of 2015). He also currently serves as vice chair of the MLC Economic Development Committee.



*Illinois Rep.
Elgie Sims*

In the Illinois House, he serves as chair of the Judiciary-Criminal Committee.

Prior to being elected to the House, Rep. Sims served as budget director for the Illinois Senate Democrats. He is an attorney and second-

generation small-business owner whose legislative district includes parts of Chicago's South Side, where he lives with his wife and two daughters.

He will officially become the MLC's second vice chair later this year and is in line to be the group's chair in 2019.

The MLC is a nonpartisan association of all legislators in the region's 11 states: Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin. The Canadian provinces of Alberta, Manitoba, Ontario and Saskatchewan are affiliate members.

CSG Midwest provides staff support to the MLC, whose current leadership team is as follows:

- Wisconsin Rep. Joan Ballweg, chair;
- Iowa Sen. Janet Petersen, first vice chair;
- Ohio Sen. Cliff Hite, second vice chair; and
- North Dakota Sen. Tim Flakoll, immediate past chair.

A rotation of MLC officers typically takes place every year.



CALENDAR

UPCOMING MIDWESTERN LEGISLATIVE CONFERENCE AND THE COUNCIL OF STATE GOVERNMENTS EVENTS

MIDWEST INTERSTATE PASSENGER RAIL COMMISSION MEETING

September 28-29, 2016
St. Louis, Missouri

Contact: Laura Kliever (lkliever@csg.org)
630.925.1922
www.miprc.org

MIDWESTERN RADIOACTIVE MATERIALS TRANSPORTATION COMMITTEE MEETING

November 30-December 1, 2016
St. Louis, Missouri

Contact: Lisa Janairo (ljanairo@csg.org)
920.458.5910
www.csamidwest.org

CSG NATIONAL CONFERENCE

December 8-11, 2016
Colonial Williamsburg, Virginia

Contact: Kelley Arnold (karnold@csg.org)
859.244.8000
www.csg.org

72ND ANNUAL MEETING OF THE MIDWESTERN LEGISLATIVE CONFERENCE

July 9-12, 2017
Des Moines, Iowa

Contact: Gail Meyer (gmeyer@csg.org)
630.925.1922
www.csamidwest.org

23ND ANNUAL BOWHAY INSTITUTE FOR LEGISLATIVE LEADERSHIP DEVELOPMENT (BILLD)

August 11-15, 2017
Minneapolis, Minnesota

Contact: Laura Tomaka (ltomaka@csg.org)
630.925.1922
www.csamidwest.org

GREAT LAKES LEGISLATIVE CAUCUS MEETING

September 22-23, 2017
Toronto, Ontario

Contact: Lisa Janairo (ljanairo@csg.org)
920.458.5910
www.greatlakeslegislators.org

Wisconsin among states trying new program to reduce drunken driving

An innovative program that began in **South Dakota** 11 years ago to curb drunken driving has spread to another Midwestern state.

According to **Wisconsin Public Radio**, five counties in the state have received grants to pilot a 24/7 Sobriety Program. With 24/7, offenders submit to twice-daily testing for alcohol use; failure can lead to immediate sanctions, including arrest and re-incarceration.

Wisconsin legislators approved the pilot program in the state budget passed last year. According to Alcohol Monitoring Systems, Inc., as of March of this year, **Iowa** and **Nebraska** also had authorized pilot 24/7 initiatives. **North Dakota** has a statewide 24/7 sobriety program in place.

The Rand Corp. has studied the efficacy of South Dakota’s program, and its county-level research documented a 12 percent reduction in repeat DUI arrests and a 9 percent reduction in domestic violence arrests following adoption of 24/7.

The U.S. Fixing America’s Surface Transportation Act includes grant money for states that adopt 24/7 sobriety programs. Illinois, Iowa, Kansas and Minnesota are among the states that have considered implementing 24/7 programs this year.

Iowa law on voting and felons upheld by state’s highest court

Iowa’s current restrictions on voting rights for felons — considered among the most stringent in the nation — will continue after a state Supreme Court ruling in June.

Under the Iowa Constitution, any “person convicted of any infamous crime” is not “entitled to the privilege” of voting.

In a 4-3 vote, justices ruled that all felonies are “infamous crimes” and can result in permanent disenfranchisement, *The Des Moines Register* reports. After Iowa felons finish their sentence, pay court costs, and complete any required probation or parole, they can seek restoration of their voting rights through the governor’s office.

According to the Brennan Center for Justice, five Midwestern states — **Illinois, Indiana, Michigan, North Dakota** and **Ohio** — automatically restore voting for felons upon their release from prison. **Kansas, Minnesota, Nebraska, South Dakota** and **Wisconsin** restore those rights after completion of a prison sentence as well as probation and parole.

In all, 10 U.S. states permanently disenfranchise some or all people with criminal convictions. In contrast, two states (Maine and Vermont) allow felons to vote even while they are serving their sentences.

Illinois legislators OK special ‘TIF’ districts to improve transit system

Transit and intercity passenger rail projects could get a significant boost in local funding under a “Transit Facility Improvement Area” bill approved June 30 by the Illinois General Assembly.

The so-called “transit TIF” bill would allow Chicago to designate areas around Union Station and along several century-old lines of the elevated, or “L,” system that are in dire need of repairs or replacement. It would also help fund long-planned expansions of the “L” system.

Like a classic TIF, the bill would allow the diversion of a percentage of the increase in property tax revenue — the increment — near stations to help fund capacity-expanding projects. Unlike a regular TIF, once the district is declared and a baseline of existing revenue is set, schools continue to receive their full share of property taxes. After they do, then 80 percent of the property tax growth above that point goes to fund transit projects for up to 35 years.

The legislation also mandates limits to the length of “transit TIF” districts along three of six “L” lines or their planned expansion routes. As of late July, the bill (SB 2562) was awaiting the signature of Gov. Bruce Rauner.

Michigan’s highest court to weigh in on funding of private schools

A few weeks after he signed the state’s education budget for 2017, Gov. Rick Snyder asked the **Michigan** Supreme Court to issue an advisory opinion on a \$2.5 million appropriation included in the legislation (SB 801).

That money was earmarked for private schools to reimburse them for costs associated with state-mandated requirements, such as employee background checks, compliance with state building health and fire code requirements, and immunizations.

Many public school leaders in Michigan had asked Snyder to veto that portion of the budget, the *Detroit Free Press* reports; they cite state constitutional language that bars the use of public money “to aid or maintain any private, denominational or other nonpublic [schools].”

In the Midwest, some states provide support for private schools, though usually through the use of vouchers or tax credits. According to The Foundation for Educational Choice, voucher programs are in place in **Indiana, Ohio** and **Wisconsin**. **Illinois, Iowa** and **Minnesota** provide tax credits that cover the educational expenses of students in any private or public school. In Indiana, Iowa, **Kansas** and **South Dakota**, tax credits are available to individuals who donate to nonprofits that provide private school scholarships.

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The Council of State Governments

Midwestern Office

701 E. 22nd Street, Suite 110

Lombard, IL 60148-5095

Phone: 630.925.1922

Fax: 630.925.1930

E-mail: csgm@csg.org

www.csgmidwest.org

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